REMARKS

This Amendment is being submitted in response to the Official Action mailed on February 24, 2005. Claims 13 and 22-40 are now pending.

Claims 28 and 29 have been amended to provide strict antecedence and to note more particularly that the incoming signals are the ones that "arrive at the device." No change in scope is believed to be involved in this claim amendment.

Interview

Applicant appreciates the opportunity afforded by the Examiner to discuss our respective interpretations of Weber and Sawada. The pending claims have been amended consistent with the discussion at the interview that took place on April 12, 2005.

During the interview, applicant noted that the claimed methodology has the alert mode switch directing alert-mode signals on the basis of the contents of a buffer memory, and that the contents of the buffer memory are utilized both under squelch and non-squelch conditions to control the state of the alert-mode switch. In the absence of a squelch signal, any user preference concerning the ring-mode is stored in the buffer memory based on values maintained in a separate memory location, namely, the "alert-mode memory-cell." On the other hand, when a squelch signal is detected, the alert-mode switch continues to be governed by the contents of the buffer memory, but in this state the buffer is supplied with a value which causes the device to "ring" silently, i.e., to activate the vibrator instead of the acoustic driver. This circuit arrangement therefore switches on a specific alert device, regardless of whether a squelch signal is being detected (that is, at all times), based on the present contents of the buffer memory. Thus, an elegant scheme is provided to avoid conflicts between a user-setting and an override-condition imposed by a squelch signal. The art of record fails to teach or suggest the claimed circuit, or a methodology that implements this scheme.

Section 103(a) Rejection of All Claims

All claims stand rejected as being unpatentable under Section 103(a) over Weber et al. in view of Sawada. Reconsideration is requested.

Weber discloses a base station that broadcasts information to cause a mobile terminal to change its alert mode. The changed alert mode can be maintained for a predetermined time period or until a second mode change information signal is received. The Patent Office's position is that this "reads on the premise that the contents in the said memory are maintained despite the presence of said control signal." Respectfully, claim 13 recites a device that is structurally distinct.

In the device of claim 13, a buffer stores values from locations as a function of whether a squelch signal is detected. A predetermined binary value that is associated with establishing a vibrator as the alert device is stored in the buffer when the squelch signal is detected. On the other hand, the contents of an alert-mode memory cell are contained in the buffer memory in the absence of detection of the squelch signal. A switch automatically directs incoming calls to a particular alert device on the basis of the buffer memory contents at all times, and not under the influence of a timing circuit or further signal as described by Weber. Thus, in claim 13 the switch automatically directs incoming messages to the vibrator whenever the buffer memory stores the predetermined binary value and automatically directs the alert signal either to the vibrator or to a second alert device as a function of the contents of the buffer memory in the absence of the squelch signal. The switch simply interrogates the buffer memory to know which alert device is to be activated in response to an incoming message.

Neither Weber nor Sawada disclose or suggest a device so-configured. The binary values of Sawada have no bearing on the response of a device to an incoming message for which the phone is to respond with a ring or a vibration. On the contrary, the user-settings of Sawada operate in exactly the opposite mode than recited in claim 13. In particular, the binary settings of Sawada affect the degree to which the operation of the phone is inhibited rather than a preference of how an ***enabled*** phone is to respond to an incoming message. Therefore, its combination with Weber, which is silent as to binary-value based phone-control, does not render the structure of claim 13 obvious.

Accordingly, the arrangement in claim 13 of a buffer memory and its control over the operation of a switch is not suggested in either Weber or Sawada, and withdrawal of the outstanding rejection is believed to be warranted.

New Claims

New claims 34-40 have been presented to more completely address the subject matter of applicant's invention.

Claim 34 is modeled after claim 13, and is similar in scope except that it more particularly defines the alert devices, has an alert-mode memory-cell of claim 34 stores a "user settable binary value," and more particularly recites the storage operations of the buffer memory as being response to the "control signal" or the "absence of the control signal." Claim 34 is believed to distinguish over the art of record, at least because it has the buffer memory and switch arrangement of claim 13.

Claims 35-40 depend from claim 34 and are modeled after other claims now pending in this application. Favorable consideration of these claims is requested in view of their dependence from claim 34 and in view of their own respective further recitations.

No fee is required for this amendment.

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Respectfully submitted,

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